

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brian Jones et al. Examiner: Chen, Qing
Serial No.: 10/731,899 Group Art Unit: 2191
Filed: December 9, 2003 Docket No.: 60001.0182USII/303914.01
Title: MECHANISM FOR DOWNLOADING SOFTWARE COMPONENTS FROM A
REMOTE SOURCE FOR USE BY A LOCAL SOFTWARE APPLICATION

**FORTY-SIXTH SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT (37 C.F.R. § 1.97(d))**

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. A copy of the Japanese Office Action dated October 27, 2009 (Appl. No. 2003-161338) is enclosed for the Examiner's information.

This statement should be considered because it is submitted after the mailing date of a final action under 37 C.F.R. § 1.113 or after the mailing date of the Notice of Allowance under 37 C.F.R. § 1.311 or after any other action that closes prosecution on the application, but before the payment of the issue fee. Payment is being made via Credit Card in the amount of \$180.00 for Submission of Information Disclosure Statement. This statement is submitted as certified below under 37 C.F.R. §1.97(c)(1) and (2) by the undersigned.

Certification Under 37 C.F.R. §1.97(c)(1)

In accordance with 37 C.F.R. §1.97(c) or §1.97(d), the undersigned hereby certifies that at least some references listed on the enclosed Form 1449, except for the U.S. Office Action and references cited therein, were first cited in a communication from a foreign patent office in a counterpart foreign application within three months of filing this statement.

Certification Under 37 C.F.R. §1.97(c)(2)

In accordance with 37 C.F.R. §1.97(c) or §1.97(d), the undersigned hereby certifies that no item of information listed on the enclosed Form 1449, except for the Japanese Office Action and references cited therein, was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned after making a reasonable inquiry, no item of information listed on the enclosed Form 1449 was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,
MERCHANT & GOULD P.C.

P.O. Box 2903
Minneapolis, MN 55402-0903
404.954.5066

Date: November 28, 2009

/D. Kent Stier/

D. Kent Stier
Reg. No. 50,640

DKS:mdc

27488
PATENT TRADEMARK OFFICE